

Secrecy and Morality in Intelligence

When I came back to Washington from my overseas assignment nine months ago, I found myself confronted with what appeared to be a beleaguered CIA. Beleaguered by several years of criticism, investigation, and adverse publicity. Yet, as I grew to know the organization and the people I realized how very fortunate I was to come to it at this particular time in our nation's history. I felt it was a moment of opportunity.

Opportunity first, because I doubt that anywhere else in the business world or in government will you find more dedicated, more capable public servants than in the Central Intelligence Agency and the other associated intelligence organizations in our country. They have an admirable record and, with this, I am confident that we have the foundation on which to rebuild public confidence which is much deserved.

The second way it is a moment of opportunity is because today, out of the crucible of this period of investigation and inquiry we are forging a new model of intelligence - an American model of intelligence. The old, traditional model of intelligence remarkably unchanged over centuries of history, is one where intelligence organizations maintained maximum secrecy and operated with a minimum of supervisory control. Nearly all foreign intelligence organizations continue to follow this pattern. The new model we are forging is singularly tailored to the

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outlook, the attitudes, and the standards of our country. On the one hand, it is open, more open just like our society. On the other hand, there is more supervision, more control, much like the checks and balances that characterize our entire governmental process. Let me explain a few of the cardinal features of this new American model of intelligence.

First - Openness. Today we are attempting to share more with you, the public of the United States, than ever before. We are sharing first something about the process of intelligence, how we go about doing our work. Now, clearly we cannot share everything. Very often the reason information or how it was obtained is useful is because it is unsuspected by our potential adversaries. Publicity would vitiate its usefulness. But at the same time there is much about intelligence work that need not be kept secret and which I think both the Intelligence Community and the public would benefit by discussing openly.

For example, contrary to popular belief, a very large percentage of our effort is not involved in clandestine spying. Most of our effort is concentrated on what would be termed on any university campus, or in many major corporations, simply as research. We have thousands of people whose task is to take bits of information that have been collected - sometimes openly, sometimes clandestinely - and, much like working on a jigsaw puzzle, piece them together to make them into a picture. With this picture they can then provide an evaluation or an

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estimate that will help our nation's decisionmakers better understand world events, anticipate problems, and make better decisions on behalf of you and me. This is a very ordinary but a very challenging task intellectually. It is no way spooky.

Today, in carrying out our new policy of greater openness we want to share more of the results of this kind of analysis. Each time we complete a major intelligence study today, we look it over carefully to see if it can be declassified. Whatever its classification - Secret, Top Secret, or burn before reading - we go through it and excise those portions which must remain classified. These are clues which in the hands of our enemies could jeopardize the way we acquired the information, or could endanger the life of someone who has helped us. Once these clues are removed, if there is enough substance left to be of interest and of value to the American public, we publish the study and make it available, usually through the Government Printing Office.

You may have heard that in March the CIA issued a report on the world energy prospects for the next 10 years or so. In May, a study was issued on the world steel outlook - available capacity, prospects for the future. In July, on behalf of the Joint Economic Committee of Congress, we issued one on the future prospects of the Soviet economy - a rather startling change from what had been predicted in the past. Also in July, we issued a study on International Terrorism which has subsequently been

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made available through the Department of Commerce to businesses operating overseas.

Now, not to exaggerate, the Intelligence Community has, of course, not been thrown open with all secrets revealed. Anyone with a cursory understanding of the international system appreciates that that would be very much to our disadvantage. Sources would evaporate, the advantage of knowing more about your adversary than he thinks you know would be lost, and a foreigner's loyalty to us would assuredly be rewarded with prison or death.

But there are real advantages to opening up within the limits of necessary secrecy. Interestingly, I believe it is going to make it easier to protect important secrets. Winston Churchill once said, if everything is classified secret, nothing is secret. Today too much information is classified.

There are also too many people running around who feel they can take it unto themselves to decide what should be classified and what should be released. They have released information which has done irreparable damage to our country in terms of damaged national relationships; in terms of expensive, technical intelligence systems compromised; in terms of lives dedicated to America and what we stand for, lost. By our releasing as much information as we can, we can help improve the quality of national debate on important issues. And, in making that contribution we also derive a benefit. Greater public exposure of the

intelligence product, generates discussion and feedback to us of attitudes toward what we are doing and good constructive criticism of how we are doing it. This is important not only because it decreases the likelihood of misunderstandings - and much of the criticism of the past derived from misunderstandings - but-also, everyone of us in authority clearly recognizes that the intelligence mechanism of the United States must be operated in ways that are compatible with the ethical and moral standards of our country. The problem with that, however, is that it is not always easy to know with certainty what those standards are. What the country would condone in intelligence operations or other governmental activities 20 years ago, it may condemn today. How will the nation look 5, 10, or 20 years from now at what we are doing today?

Unfortunately, we cannot launch a trial balloon. We can't take some proposed activity and test it out on 210 million or so Americans and expect it to remain secret. Often we either do something secretly or we just don't do it at all. That places a particular burden on all of us in the Intelligence Community. A burden to make difficult judgments as to what things we should and what things we should not do. The American model that I'm speaking of establishes controls to help us make these judgments. Let me discuss three of those controls.

The first type of control is self-control, or self-regulation. For instance, today, and for some months, we have been attempting to write a specific code of operational ethics for the Intelligence

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Community. It hasn't been easy to write something that is specific enough to give genuine guidance, yet not so specific as to be totally inhibiting and prevent effectiveness. But the process of attempting to write such a code has been salutary for us. It has forced us to think more about ethical issues. It has forced us to grapple with the subtleties of these issues. Just as in business, just as in other agencies of government, ethical issues are seldom all black or all white. But in examining the many shades of gray, we must ask ourselves exactly what are the boundaries of our societal standards? To what lengths should we go to obtain information which would be useful for the decisionmakers of our country? The answers are never clear cut. It would be easy for us to simply interpret standards arbitrarily and stay right in the middle-of-the-road. Never do anything that would embarrass the United States of America were it disclosed. Never treat people of another country differently than we would treat Americans. Be as open and fair in our dealings with other countries as we believe all peoples should be treated.

Unquestionably this is how we would hope we could act. However, in many situations they represent an unrealistic ideal. We must always remember, that we are an unusually blessed people, living in an unusually open society. In an open society like ours an outsider can come in and without great effort, using only open sources, attain a good grasp of what's

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going on, what our basic purposes are, the directions we are going, and what we are thinking. He comes; he reads; he looks; he talks to people; he walks down the street; and he can easily make an accurate appraisal of what the United States is about.

Unfortunately, as we all know, there are closed societies in the world today. Closed societies where you can't go and walk down the street and talk to the people. And, reading the newspapers is not very informative because they only say what the government puts in them. Yet, we have a genuine need to know what is going on in those societies. I don't think you would want your government to negotiate a new strategic arms limitation agreement with the Soviet Union if I could not assure you that we had some chance of feeling the pulse of the Soviet Union's political, economic, and military motives; if I didn't think there was a good chance of knowing whether or not they were abiding by the terms of such an agreement.

The problem is not limited to the military. Today we are in a economically interdependent world. What happens to the economies of the Soviet Union or the United States has ripple effects around the world. Yet, even here, closed societies of the communist bloc are not very informative. The pocketbooks of each one of us here is exposed to dangers of the economically unsound actions of other countries. We must have some intelligence capability for anticipating those events, for getting a feel for the way foreign economies are moving. But

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this too is not easy. Nor is it clear cut how much of that information is of real value. Nor are the lengths to which we should go in acquiring that information well-defined. So, we must look to controls beyond the self-control which I have described.

The second type of control over the Intelligence Community is in the form of laws and formal regulations. Congress has passed a number of laws that affect intelligence operations, like, for example, the law on wiretapping. This spring the Administration went to the Congress with a revision to this wiretapping law in an effort to better protect the right to privacy of American citizens and at the same time enable the government to obtain information that may be crucial to it.

The President himself may issue very specific regulations. For example, there is a written regulation today prohibiting the Intelligence Community from counselling, planning, or carrying out an assassination.

In the next session of Congress, our recent work with Congressional leaders will culminate in a series of charters being issued for intelligence agencies. All of the intelligence operations in the CIA, the Defense Department, and elsewhere in the government, will have a specific charter which will govern their operations.

The third form of control under the American model of intelligence is called Oversight. Earlier I mentioned the impossibility of attempting full public oversight by launching trial balloons for every secret operation. While we really would

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like to have full public oversight, it simply is not practical. The substitute that has been evolving is a surrogate process of public oversight.

One of the surrogates for the American people is the President of the United States. Another is the Vice President. Both these elected officials take a very keen interest in the intelligence process and operations. I see them both regularly and they are fully aware of intelligence activities.

Another surrogate is a committee called the Senate Select Committee on Intelligence which has been in existence for just over a year-and-a-half. This committee is in many respects a sounding board for us. We go to them with our problems and they feedback to us with what they feel the American people want. It is also a check on us. They hear things, they read things, they call us up, and ask us to come over and tell them what is happening and why it is happening. Through the budget process, I keep them informed of the full range of our activities. It is a very valuable line of communication between the intelligence agencies and the people of the United States.

I am very pleased that in August the House of Representatives elected to establish a corresponding committee.

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I look forward to having the same point of contact, the same sounding board in the lower chamber, as we now have in the Senate.

The Intelligence Oversight Board is still another oversight surrogate. This board is comprised of three distinguished citizens: former governor Scranton, former Senator Gore, and Tom Farmer of Washington, D. C., appointed by the President for the sole task of overseeing the legality and propriety of what the Intelligence Community is doing. You, any of my employees, anyone who wants, may write to the Intelligence Oversight Board, and say that fellow Turner is doing something wrong. If they think there's any illegality in intelligence operations or that something is being done improperly, they can go directly to this Board. The Board then makes its own investigation; they may call me in and ask me what is going on; but they do it independently and report only to the President of the United States. He then decides if some action should be taken.

Another form of control is over what is called covert action. Covert action is not gathering or analyzing intelligence, it is taking actions intended to influence opinions or events in other countries without those actions being attributed to the United States. The CIA has been charged by the President over many years as the only agency in the government that will conduct covert action and continues to be required to retain that capability. It is outside the normal ambit of intelligence activities and, as you can imagine involves a high element of risk. This is where the

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CIA has received the most adverse publicity. In the past, in Viet Nam for example, there was a good deal of covert activity being carried out. Today, covert activity is first, on a very, very, low scale; and second, before any covert effort is undertaken, it must be cleared by the National Security Council, the President must then indicate his approval by signature, and I must then notify eight committees of Congress.

There are some who say that all of this oversight may be overkill. Let me be candid with you. There are risks in this process. There is the risk of timidity. The more oversight over an intelligence operation the less willing individuals are to take the risks that operation may entail. Maybe too few risks will be taken for the long term good of our country. When you sit around a conference table with other members of a committee, it is easy to say, no, that's too risky, let's not do it. It is much more difficult to stand alone in a group and say yes, for the long term needs of the country, we require that information, we should take that risk.

The second risk is that there may be a security leak. As you proliferate the number of people with access to information about intelligence operations in order to conduct the oversight process, you run the risk of somebody saying something that he should not.

In conclusion, you should know that I feel very confident that today we are beginning to find the balance between the risks of too much oversight on the one hand and necessary control on

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the other. There is every good prospect that a relatively stable balance can be established over these next 2 or 3 years as we shake down this process and as we mature into this new American model of intelligence. I believe we will develop ways of maintaining that necessary level of secrecy while at the same time conducting intelligence operations only in ways that will strengthen our open and free society.

Thank you very much. I would be happy to entertain your questions.